

PROB 12B
(7/93)

Report Date: October 19, 2011

United States District Court

for the

District of North Dakota

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OCT 20 2011

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: James Palmer Benson

Case Number: 2:04CR00192-LRS

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko U.S. District Judge

Date of Original Sentence: 05/03/2005

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of a Firearm,
18 U.S.C. § 922(g)(1), a Class C felony (2 counts)

Date Supervision Commenced: 11/12/2010

Original Sentence: Prison - 70 Months;
TSR - 36 Months

Date Supervision Expires: 11/12/2013

PETITIONING THE COURT

To modify the conditions of supervision as follows:

19. The defendant shall reside in and satisfactorily participate in a residential reentry center program as a condition of supervision for up to 180 days or until discharged by the Program Manager with the approval of the U.S. Probation Officer. The defendant may be responsible for a 25% gross income subsistence fee.

CAUSE

On August 8 and 25, 2011, Mr. Benson submitted urine samples that showed the presence of marijuana in his system. Mr. Benson submitted three additional tests on September 1, 9, and 14, 2011, which also showed the presence of marijuana in his system. During a meeting with U. S. Probation Officer Jerrod Akins, Mr. Benson admitted to consuming marijuana with a neighbor.

James Palmer Benson was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Benson has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/19/2011

s/Gayla S. Hunt

Gayla S. Hunt, Supervising
U.S. Probation Officer

Prob 12B


Re: Benson, James Palmer

October 19, 2011


Page 2

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date